# Executive Summary – Enforcement Matter – Case No. 49117 DANIEL MEMORIAL BAPTIST ENCAMPMENT, INC. RN101213262

# Docket No. 2014-1148-PWS-E

# **Order Type:**

Findings Agreed Order

# **Findings Order Justification:**

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

#### Media:

**PWS** 

#### **Small Business:**

Yes

# Location(s) Where Violation(s) Occurred:

Daniel Springs Baptist Camp, located on Farm-to-Market Road 999, 0.5 mile northeast from the intersection of Farm-to-Market Road 999 and County Road 129, near Gary, Panola County

# **Type of Operation:**

Public water supply

# **Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: January 9, 2015

Comments Received: No

# **Penalty Information**

**Total Penalty Assessed: \$531** 

Amount Deferred for Expedited Settlement: \$0 Amount Deferred for Financial Inability to Pay: \$0

**Total Paid to General Revenue:** \$531 **Total Due to General Revenue:** \$0

Payment Plan: N/A **SEP Conditional Offset:** \$0

Name of SEP: N/A

# **Compliance History Classifications:**

Person/CN - Unclassified

Site/RN - N/A

Major Source: Yes

**Statutory Limit Adjustment:** \$39

Applicable Penalty Policy: September 2002 and April 2014

# Executive Summary – Enforcement Matter – Case No. 49117 DANIEL MEMORIAL BAPTIST ENCAMPMENT, INC. RN101213262 Docket No. 2014-1148-PWS-E

# **Investigation Information**

**Complaint Date(s):** N/A **Complaint Information**: N/A

Date(s) of Investigation: May 19, 2010, February 20, 2013, and June 20, 2014

through June 24, 2014

Date(s) of NOE(s): July 25, 2014

## **Violation Information**

- 1. Failed to calibrate the Facility's well meter at least once every three years [30 Tex. Admin. Code § 290.46(s)(1)].
- 2. Failed to maintain a thorough and up-to-date plant operations manual for operator review and reference [30 Tex. Admin. Code § 290.42(l)].
- 3. Failed to conduct an annual inspection of the Facility's ground storage tank ("GST") [30 TEX. ADMIN. CODE § 290.46(m)(1)(A)].
- 4. Failed to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days [30 Tex. Admin. Code §§ 290.110(c)(4)(A)].
- 5. Failed to make water works operation and maintenance records available for review by Commission personnel upon request [30 Tex. Admin. Code § 290.46(f)(2), (f)(3)(A)(i)(III), (f)(3)(A)(ii)(III), (f)(3)(A)(iv), and (f)(3)(A)(vi)].
- 6. Failed to ensure that all clearwells, GSTs, stand pipes and elevated tanks are painted, disinfected and maintained in strict accordance with American Water Works Association ("AWWA") standards [30 Tex. ADMIN. CODE § 290.43(c)(8)].
- 7. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the Facility and its equipment [30 TEX. ADMIN. CODE § 290.46(m)].

# Corrective Actions/Technical Requirements

# **Corrective Action(s) Completed:**

N/A

# **Technical Requirements:**

The Order will require the Respondent to:

- a. Within 30 days:
- i. Calibrate the Facility's well meter;
- ii. Conduct an annual inspection of the Facility's GST;

# Executive Summary – Enforcement Matter – Case No. 49117 DANIEL MEMORIAL BAPTIST ENCAMPMENT, INC. RN101213262 Docket No. 2014-1148-PWS-E

- iii. Begin monitoring and recording the disinfectant residual at representative locations in the distribution system at least once every seven days using an approved method; and
- iv. Compile and begin maintaining properly completed monthly water works operation reports and maintenance records, including but not limited to: the amount of each chemical used each week, the amount of water treated each week, dates the dead ends are flushed, and maintenance records for the water system.
- b. Within 45 days, submit written certification demonstrating compliance with Ordering Provisions a.i. through a.iv.
- c. Within 60 days, compile and begin maintaining an up-to-date and thorough plant operations manual for operator review and reference.
- d. Within 75 days, submit written certification demonstrating compliance with Ordering Provision c.
- e. Within 180 days:
- i. Refurbish or replace the 0.065 million gallon GST so that the interior and exterior meet AWWA standards; and
- ii. Initiate maintenance and good housekeeping practices at the Facility, including but not limited to, refurbishing or replacing the 3,000 gallon pressure tank.
- f. Within 195 days, submit written certification demonstrating compliance with Ordering Provision e.

# Litigation Information

Date Petition(s) Filed: N/A Date Answer(s) Filed: N/A SOAH Referral Date: N/A Hearing Date(s): N/A Settlement Date: N/A

# **Contact Information**

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Lisa Westbrook, Enforcement Division,

Enforcement Team 2, MC 169, (512) 239-1160; Candy Garrett, Enforcement Division,

MC 219, (512) 239-1456

**TCEQ SEP Coordinator**: N/A

**Respondent:** Jason E. Prewitt, Director, DANIEL MEMORIAL BAPTIST ENCAMPMENT, INC., 1571 Farm-to-Market Road 999, Gary, Texas 75643

Respondent's Attorney: N/A

#### Penalty Calculation Worksheet (PCW) Policy Revision 2 (September 2002) PCW Revision October 30, 2008 Assigned 28-Jul-2014 PCW 2-Oct-2014 Screening 11-Aug-2014 **EPA** Due RESPONDENT/FACILITY INFORMATION Respondent DANIEL MEMORIAL BAPTIST ENCAMPMENT, INC. Reg. Ent. Ref. No. RN101213262 Facility/Site Region 5-Tyler Major/Minor Source Minor CASE INFORMATION Enf./Case ID No. 49117 No. of Violations 5 Docket No. 2014-1148-PWS-E Order Type Findings Government/Non-Profit Yes Media Program(s) Public Water Supply Multi-Media Enf. Coordinator Lisa Westbrook EC's Team Enforcement Team 2 Admin. Penalty \$ Limit Minimum Maximum \$1,000 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) \$360 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. Compliance History 7.0% Enhancement Subtotals 2, 3, & 7 \$25 Enhancement for one NOV with the same/similar violations and one NOV Notes with dissimilar violations. Culpability No 0.0% Enhancement Subtotal 4 \$0 Notes The Respondent does not meet the culpability criteria. Good Faith Effort to Comply Total Adjustments Subtotal 5 \$0 Economic Benefit 0.0% Enhancement\* Subtotal 6 \$0 Total EB Amounts Capped at the Total EB \$ Amount Estimated Cost of Compliance

Final Subtotal

Adjustment

Adjustment

Final Penalty Amount

Final Assessed Penalty

Reduction

0.0%

\$385

\$385

\$424

\$424

\$0

\$0

SUM OF SUBTOTALS 1-7

STATUTORY LIMIT ADJUSTMENT

Notes

Notes

**PAYABLE PENALT** 

**DEFERRAL** 

OTHER FACTORS AS JUSTICE MAY REQUIRE

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

No deferral is recommended for Findings Orders.

Reduces or enhances the Final Subtotal by the indicated percentage.

Screening Date 11-Aug-2014 Docket No. 2014-1148-PWS-E

Respondent DANIEL MEMORIAL BAPTIST ENCAMPMENT, INC.

Case ID No. 49117

Reg. Ent. Reference No. RN101213262

Media [Statute] Public Water Supply

Enf. Coordinator Lisa Westbrook

Policy Revision 2 (September 2002) PCW Revision October 30, 2008

NOVs	Number of  Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)		
	the current characters (manuscript in the remaining critical a	1	5%
	Other written NOVs	1	2%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
dgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
ecrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
nvictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
nissions	Chronic excessive emissions events (number of events)	0	0%
A	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
	Ple	ase Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Cuici	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment Per	centage (Sub	total 2)
Violator (:	Subtotal 3)		
N/A	Adjustment Per	centage (Sub	total 3)
	The second secon	<b>-</b>	
Unclass	ified Adjustment Per	centage (Sub	total 7)
nce Histo	ry Summary		
mpliance listory Notes	Enhancement for one NOV with the same/similar violations and one NOV with dissi	milar violations.	
	Consent ecrees  nvictions nissions  Audits  Other  Violator (i  N/A  nce Histo  Unclass nce Histo  appliance istory	Identify of this state or the federal government (number of judgments or consent decrees meeting criteria)  Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government  Any criminal convictions of this state or the federal government (number of counts)  Chronic excessive emissions events (number of events)  Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Environmental management systems in place for one year or more  Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program  Early compliance with, or offer of a product that meets future state or federal government environmental requirements  Adjustment Per  Fiolator (Subtotal 3)  N/A  Adjustment Per  Ince History Person Classification (Subtotal 7)  Unclassified  Adjustment Per  Ince History Summary  Enhancement for one NOV with the same/similar violations and one NOV with dissipations.	of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)  Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government  Any criminal convictions of this state or the federal government (number of counts)  Any criminal convictions of this state or the federal government (number of counts)  Chronic excessive emissions events (number of events)  Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Environmental management systems in place for one year or more  Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program  Early compliance with, or offer of a product that meets future state or federal government environmental requirements  Adjustment Percentage (Subficial Touch History Person Classification (Subtotal 7)  Unclassified  Adjustment Percentage (Subficial Percentage (Subficial Percentage)  Adjustment Percentage (Subficial Percentage)  Enhancement for one NOV with the same/similar violations and one NOV with dissimilar violations.

Screening Date 11-Aug-2014 Docket No. 2014-1148-PWS-E Respondent DANIEL MEMORIAL BAPTIST ENCAMPMENT, INC.	PCW. Policy Revision 2 (September 2002)
Case ID No. 49117 Reg. Ent. Reference No. RN101213262	PCW Revision October 30, 2008
Media [Statute] Public Water Supply	
Enf. Coordinator Lisa Westbrook Violation Number 1	
Rule Cite(s) 30 Tex. Admin. Code § 290.46(s)(1)	
Failed to calibrate the Facility's well meter at least once every three	vears.
Violation Description Specifically, the well meter had not been calibrated in the previous three	
Bas Control of the Co	se Penalty \$1,000
>>Environmental, Property and Human Health Matrix	
Release Major Moderate Minor	and the second s
Potential X Percent 5%	and the state of t
>>Programmatic Matrix 1. Phys. 18 10 10 10 10 10 10 10 10 10 10 10 10 10	
Falsification Major Moderate Minor Percent 0%	rakit Menganan Ka
Failure to calibrate the well meter could result in the operator obtaining inaccurate well	production
Matrix Notes  Ma	
The contract of the construction of the contract of the contra	
Total Control of the	\$950
A CONTRACTOR OF THE CONTRACTOR	\$50
Violation Events	
Number of Violation Events 1 52 Number of violation	days
gally # weekly	
mark only one with an v	se Penalty \$50
with an x  Semiannual  As annual	C Condity
Single event	
One single event is recommended.	
Good Faith Efforts to Comply 0.0%	Reduction \$0
Before NOV NOV to EDPRP/Settlement Offer Extraordinary	90t(09000000000000000000000000000000000
Ordinary	
N/A x (mark with x)  The Respondent does not meet the good faith criteria for	
Notes this violation.	
Violation	Subtotal \$50
Economic Benefit (EB) for this violation Statutory Limit	
Estimated EB Amount \$87 Violation Final Pen	<u></u>
This violation Final Assessed Penalty (adjusted f	-
	75.

	, E	conomic l	Benefit V	Vork	sheet		
Respondent	DANIEL MEMO	RIAL BAPTIST EN	CAMPMENT, INC.				
Case ID No.	49117				State of the second		visa oyrai i gal
eg. Ent. Reference No.	RN101213262						
	Public Water S						Years of
Violation No.	<b>8</b>	• • •				Percent Interest	Depreciation
495.4						5.0	15
	Item Cost	Date Required	Final Date '	Yrs In	terest Saved	Onetime Costs	EB Amount
Item Description	. No commas or \$						
Delayed Costs							
Equipment				.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction		<u> </u>		0.00	\$0	\$0	\$0
Land				0.00	\$0		\$0
Record Keeping System				0.00	\$0		\$0
Training/Sampling				0.00	\$0		\$0
Remediation/Disposal				0.00	\$0		\$0
Permit Costs				0.00	\$0		\$0
Other (as needed)		<u> </u>		).00 l	\$0		\$0
Notes for DELAYED costs							
Avoided Costs	ANNUAL	TZE [1] avoided	costs before en	tering i	tem (eyrent	for one-time avoid	led casts)
AVOIDED COSES Disposal	Authori	T TOTAL COLUCTION		0.00	\$0	\$0	\$0
Personnel		1 - 1		0.00	\$0	\$0	\$0
				0.00	\$0	\$0	\$0
spection/Reporting/Sampling						\$0	\$0
			1 (	).00 l	\$0	1 30	40
Supplies/Equipment				).00 ).00	\$0 \$0	\$0 \$0	\$0
	\$62	19-May-2007					
Supplies/Equipment Financial Assurance [2]	\$62	19-May-2007	11-Aug-2014 8	0.00	\$0	\$0	\$0
Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]		1	11-Aug-2014 8	3.15 ).00	\$0 \$25 \$0	\$0 \$62 \$0	\$0 \$87 \$0
Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The avoide	d cost includes the	11-Aug-2014 [	0.00 3.15 0.00 nt to pro	\$0 \$25 \$0 operly calibrate	\$0 \$62 \$0 the well meter (\$3	\$0 \$87 \$0 t per meter),
Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The avoide	d cost includes the	11-Aug-2014 ( 12-Aug-2014 ( 13-Aug-2014 ( 14-Aug-2014 ( 15-Aug-2014 ( 16-Aug-2014 ( 16	0.00 3.15 0.00 nt to pro the inves	\$0 \$25 \$0 operly calibrate stigation when	\$0 \$62 \$0	\$0 \$87 \$0 t per meter),
Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The avoide	d cost includes the	11-Aug-2014 ( 12-Aug-2014 ( 13-Aug-2014 ( 14-Aug-2014 ( 15-Aug-2014 ( 16-Aug-2014 ( 16	0.00 3.15 0.00 nt to pro	\$0 \$25 \$0 operly calibrate stigation when	\$0 \$62 \$0 the well meter (\$3	\$0 \$87 \$0 t per meter),
Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The avoide	d cost includes the	11-Aug-2014 ( 12-Aug-2014 ( 13-Aug-2014 ( 14-Aug-2014 ( 15-Aug-2014 ( 16-Aug-2014 ( 16	0.00 3.15 0.00 nt to pro the inves	\$0 \$25 \$0 operly calibrate stigation when	\$0 \$62 \$0 the well meter (\$3	\$0 \$87 \$0 t per meter),
Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The avoide	d cost includes the	11-Aug-2014 ( 12-Aug-2014 ( 13-Aug-2014 ( 14-Aug-2014 ( 15-Aug-2014 ( 16-Aug-2014 ( 16	0.00 3.15 0.00 nt to pro the inves	\$0 \$25 \$0 operly calibrate stigation when	\$0 \$62 \$0 the well meter (\$3 the violation was fir	\$0 \$87 \$0 t per meter),

Screening Date		t No. 2014-1148-PWS-E	PCW
Kespongent Case ID No.	DANIEL MEMORIAL BAPTIST ENCAMPMENT, IN 49117		sion 2 (September 2002)
Reg. Ent. Reference No.		PCW Re	evision October 30, 2008
Media [Statute]	Public Water Supply		
Enf. Coordinator		on the state of th	and the
Violation Number Rule Cite(s)	2		7
Auto-Che(S)	30 Tex. Admin. Code	§ 290.42(I)	
			adra i
Walasian Daguinaian	Failed to maintain a thorough and up-to-date	plant operations manual for operator	
Violation Description	review and reference. Specifically, it was docu a plant operations and mai	mented that the Facility did not have intenance manual	
			<b>9</b>
		Base Penalty	\$1,000
> Environmental, Proper	ty and Human Health Matrix		
Release	Harm Major Moderate Minor		٠.
OR Actual	Major Moderate Printy		
Potential		Percent 0%	Vacanta
			***************************************
Programmatic Matrix Falsification	Major Moderate Minor		
46.7	x	Percent 10%	
		and the second of the second o	7
Matrix	anna air	100 100 100 100 100 100 100 100 100 100	Mark Market State (1984)
Notes	100% of the rule requirement was	s not met.	
<u> </u>			
		Adjustment \$900	
The contract of the contract of the contract of	and the control of the control of the control of the control of	a New York Committee Commi	+100
	<u> 11 gala da 1115 e de la composición dela composición de la composición de la composición dela composición dela composición dela composición de la composición de la composición dela composición de la composición de la composición dela </u>	aling the service of	\$100
olation Events			
Number of \	iolation Events 1	Number of violation days	
,		The state of the s	Annana da
	dally weekly		
	monthly		
mark only one with an x	quarterly	Violation Base Penalty	\$100
With all X	semiannual	•	
	annual steady seems to the seem		-
1	single event x		-
	One single event is recommer	nded.	
			2007
od Faith Efforts to Comp	oly 0.0%	Reduction	\$0
	Before NOV NOV to EDPRP/Settler		
	Extraordinary	<b></b>	
	Ordinary (mark with x)		
	Notes The Respondent does not meet		
	this violat	ion.	
		7,500	.,,
		Violation Subtotal	\$100
conomic Benefit (EB) for	his violation	Statutory Limit Test	
Estimate	d EB Amount \$24	Violation Final Penalty Total	\$107
######################################			\$107
	This violation Final Asses	ssed Penalty (adjusted for limits)	\$107
			oooooooooooooooooooooooooooooooooooooo

	E	conomic	Benefit	Wor	ksheet		
Respondent	DANIEL MEMO	RIAL BAPTIST EN	CAMPMENT, IN	C.			
Case ID No.					6 1 1 m		Continue Co
Reg. Ent. Reference No.					Constitution of the second		
	Public Water S	Supply		-		Percent Interest	Years of
Violation No.	2						Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs				<del></del>			
Equipment				0.00	<u>\$0</u>	\$0	\$0
Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed) Engineering/Construction				0.00	\$0 \$0	\$0	\$0
Engineering/Construction Land				0.00	\$0 \$0	ar alli ii n/a i e suu	\$0
Record Keeping System	\$100	19-May-2010	31-Mar-2015		\$24	100 100 100 100	\$24
Training/Sampling				0.00	\$0		\$0
Remediation/Disposal				0.00	\$0	100	\$0
Permit Costs				0.00	\$0		\$0
Other (as needed)		1		0.00	\$0	B HALL DIG THE BE	\$0
						and maintain an up	
Notes for DELAYED costs	operations m	anual, calculated				the violation was fir	st documented
			to the estin	nated da	te of compliance.		
Avoided Costs	ANNUAL	IZE [1] avoided	costs before	enterin	q item (except	for one-time avoi	ded costs)
Disposal				0.00	<u> </u>	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0 \$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs [3]		1		0.00	\$0 \$0	\$0 \$0	\$0
Other (as needed)		<u> </u>	<del></del>	1 0.00 1	30	1 30	<del>- 7</del> 7
i de la companya da							
Notes for AVOIDED costs							
e e e e e e e e e e e e e e e e e e e							
Approx. Cost of Compliance		\$100			TOTAL		\$24
<u></u>	<del>~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~</del>	***************************************	······	***************************************			

Screening Date			2014-1148-PWS-E	PCW
Case ID No.	DANIEL MEMORIAL BAPTIST EF 49117	NCAMPMENT, INC.		Policy Revision 2 (September 2002)  PCW Revision October 30, 2008
Reg. Ent. Reference No.				
Media [Statute] Enf. Coordinator				
Violation Number	3			<u>andrag</u> a ina ini sa 🎚
Rule Cite(s)	30 Tex. /	Admin. Code § 290.46(	m)(1)(A)	
	Failed to conduct an annual ins	spection of the Facility's	s ground storage tank	("GST").
Violation Description	Specifically, it was documented			
		12 months.		
		l (j. 1868) se politik (j. 1868) Rojek dia maja katalan katala	Base	Penalty \$1,000
>> Environmental, Proper	ty and Human Health M	atrix		
Release	Harm		ing. Minarahan jabah kecas	
OR Actual		Minor	restablighter (same) and	
Potential	X		Percent 10%	no de la constanta de la const
>>Programmatic Matrix				
Falsification	Major Moderate	Minor		
	<u>                                     </u>		Percent 0%	
Fallure to i	inspect the GST on an annual ba	isis could cause non-de	tection of defects and	could
Matrix expose pers	sons served by the Facility to a :	significant amount of co	ontaminants which wo	uld not
	exceed levels that an	e protective of human I	nealth.	
September 1994 to 1 Total Deliver 1994		Ad	justment	\$900
	te la graphia basa da filiku dikulu arte			\$100
		***************************************	***************************************	\$100
Violation Events				
Number of V	Violation Events 1	52	Number of violation d	lays
	daily		•	
	weekly			
mark only one	rnonthly			· · · · · · · · · · · · · · · · · · ·
with an x	quarterly semiannual		Violation Base	Penalty \$100
di manana	annual x	•		
	single event			
	One annual e	vent is recommended.		
				200000000000000000000000000000000000000
<b>Good Faith Efforts to Com</b>				eduction \$0
	Before NOV N Extraordinary	OV to EDPRP/Settlement Of	fer <b>1</b>	
	Ordinary			
		nark with x)		
	Notes The Responder	nt does not meet the go	ood faith criteria for	
,	Notes	this violation.		
	1			
			Violation 5	Subtotal \$100
Economic Benefit (EB) for	this violation		Statutory Limit	Test
Estimate	ed EB Amount	\$226 V	Violation Final Penal	ity Total \$107
	-			-
	inis viola	tion Final Assessed P	renaity (adjusted to	r limits) \$107

Case ID No. 4 g. Ent. Reference No. F	DANIEL MEMO 49117 RN101213262 Public Water S			orl	ksheet	Percent Interest	Years of Depreciation
	Item Cost	Date Required	Final Date Y	s I	nterest Saved	5.0 Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs_							10.00
Equipment			0.0	00	\$0	\$0	\$0
Buildings			0.0	00	\$0	\$0	\$0
Other (as needed)			0.0		\$0	\$0	\$0
Engineering/Construction			0.0		\$0	\$0	\$0
Land			0.0	00	\$0	7 - 7/G	\$0
Record Keeping System			0.0	00	\$0	is telema dili	\$0
Training/Sampling			0.0		\$0		\$0
Remediation/Disposal			0.0	00	\$0	10 11 11 12 a 1811	\$0
Permit Costs			0.0	00	\$0	f/a" i	\$0
Other (as needed)		<u>                                     </u>	10.0	001	\$0	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	\$0
Notes for DELAYED costs							
Avoided Costs	ANNUAL	IZE [1] avoided				for one-time avoid	
Disposal			0.0		\$0	\$0	\$0
Personnel			0.0		\$0	\$0	\$0
ection/Reporting/Sampling	\$41	19-Mav-2009			\$11	\$215	\$226
Supplies/Equipment			0.0		\$0	\$0	\$0
Financial Assurance [2]			0.0		\$0	\$0	\$0
ONE-TIME avoided costs [3]			0.0		\$0	\$0	\$0
Other (as needed)			0.0	<u> 100</u>	50	\$0	\$0
	The avoided	d cost includes the	estimated amount	to co	onduct an annu	al inspection of the F	acility's GST,
Notes for AVOIDED costs	calculate	d from the 12 mor			66066666666666666666666666	on when the violatior	ı was first
			documented to	the :	screening date.		

Screening Date Respondent Case ID No. Reg. Ent. Reference No. Media [Statute] Enf. Coordinator	DANIEL MEMORIAL BAPTIST ENCAMPMENT, INC.  Policy Revi. 49117  RN101213262  Public Water Supply	PCW sion 2 (September 2002) evision October 30, 2008
Violation Number Rule Cite(s)	4 30 Tex. Admin. Code § 290.110(c)(4)(A)	
Violation Description	Failed to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days. Specifically, it was documented that the disinfectant residual was not monitored once every seven days and instead was monitored once every month.	
	Base Penalty	\$1,000
	ty and Human Health Matrix Harm	
OR Actual Potential	Major Moderate Minor  X Percent 10%	
>>Programmatic Matrix Falsification	Major Moderate Minor Percent 0%	
	monitor the disinfectant residual at least once every seven days in the distribution expose persons served by the Facility to significant amounts of contaminants which would not exceed levels protective of human health.	
	Adjustment \$900	
		\$100
Violation Events		
Number of V	Violation Events 52 Number of violation days	
mark only one with an x	daily weekly monthly quarterly semiannual annual single event	\$ <b>100</b>
One quarterly	event is recommended, calculated from the most recent investigation date, June 20, 2014, to the screening date, August 11, 2014.	Management construction of the second
Good Faith Efforts to Com	Ply 0.0% Reduction  Before NOV NOV to EDPRP/Settlement Offer	\$0
THE PROPERTY OF THE PROPERTY O	Extraordinary Ordinary N/A x (mark with x)	
	Notes The Respondent does not meet the good faith criteria for this violation.	and the second s
	Violation Subtotal	\$100
Economic Benefit (EB) for	**************************************	4407
EStimati	ed EB Amount \$1,924 Violation Final Penalty Total  This violation Final Assessed Penalty (adjusted for limits)	
		, +**/

		conomic		200000000000000000000000000000000000000	ksheet		
Respondent Case ID No.	8	RIAL BAPTIST EN	CAMPMENT, INC				
ea. Ent. Reference No.	8						
	Public Water S						Years of
Violation No.	<b>≋</b> .	-PP-1				Percent Interest	Depreciation
Violation ito	•					5.0	15
	Trem Cost	Date Required	Final Date	Yrs T	nterest Saved	Onetime Costs	EB Amount
Item Description							
Mem Description	i no camino de P				No. 34 Jak Million		
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	1/a	\$0
Record Keeping System				0.00	\$0	10.0	\$0
Training/Sampling				0.00	\$0	es 10 0 1/8 J 10 10	\$0
Remediation/Disposal				0.00	\$0	n negativi mi	\$0
Permit Costs				0.00	\$0	0/6	\$0
Other (as needed)				0.00	\$0	n/a 1	\$0
Notes for DELAYED costs							
						<del> </del>	
Avoided Costs	ANNUAL	TZE [1] avoided	costs before e	nterina	item (except)	romontearme avoir	ied costs)
Avoided Costs	ANNUAL	IZE [1] avoided	costs before e			for one-time avoid	ied costs) \$0
Disposal	ANNUAL	IZE [1] avoided	costs before c	0.00 0.00	\$0 \$0 \$0		*******
Disposal Personnel	ANNUAL	IZE [1] avoided	costs before e	0.00	\$0	\$0	\$0
Disposal Personnel spection/Reporting/Sampling	ANNUAL	IZE [1] avoided	costs before a	0.00	\$0 \$0	\$0 \$0	\$0 \$0
Disposal Personnel	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	ANNUAL	IZE [1] avoided	costs before e	0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Disposal Personnel spection/Reporting/Sampling Supplies/Equipment	\$1,530	IZE [1] avoided		0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	\$1,530	19-May-2010	11-Aug-2014	0.00 0.00 0.00 0.00 0.00 0.00 0.00 5.15	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$394	\$0 \$0 \$0 \$0 \$0 \$0 \$1 \$0 \$1,530	\$0 \$0 \$0 \$0 \$0 \$0 \$1.924
Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	\$1.530 The avoided of	19-May-2010	11-Aug-2014	0.00 0.00 0.00 0.00 0.00 0.00 0.00 5.15	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$394	\$0 \$0 \$0 \$0 \$0 \$1.530 \$1.530	\$0 \$0 \$0 \$0 \$0 \$0 \$1,924 residual for the
Disposal Personnel Ispection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	\$1.530 The avoided of	19-May-2010 cost includes the ed (\$10 per week	11-Aug-2014 estimated amour x three weeks x	0.00 0.00 0.00 0.00 0.00 0.00 5.15 at to per 51 mon	\$0 \$0 \$0 \$0 \$0 \$0 \$394 form monitoring	\$0 \$0 \$0 \$0 \$0 \$1.530 of the disinfectant if	\$0 \$0 \$0 \$0 \$0 \$0 \$1,924 residual for the
Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	\$1.530 The avoided of	19-May-2010 cost includes the ed (\$10 per week	11-Aug-2014	0.00 0.00 0.00 0.00 0.00 0.00 5.15 at to per 51 mon	\$0 \$0 \$0 \$0 \$0 \$0 \$394 form monitoring	\$0 \$0 \$0 \$0 \$0 \$1.530 of the disinfectant if	\$0 \$0 \$0 \$0 \$0 \$0 \$1,924 residual for the
Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	\$1.530 The avoided of	19-May-2010 cost includes the ed (\$10 per week	11-Aug-2014 estimated amour x three weeks x	0.00 0.00 0.00 0.00 0.00 0.00 5.15 at to per 51 mon	\$0 \$0 \$0 \$0 \$0 \$0 \$394 form monitoring	\$0 \$0 \$0 \$0 \$0 \$1.530 of the disinfectant if	\$0 \$0 \$0 \$0 \$0 \$0 \$1,924 residual for the
Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	\$1.530 The avoided of	19-May-2010 cost includes the ed (\$10 per week	11-Aug-2014 estimated amour x three weeks x	0.00 0.00 0.00 0.00 0.00 0.00 5.15 at to per 51 mon	\$0 \$0 \$0 \$0 \$0 \$0 \$394 form monitoring	\$0 \$0 \$0 \$0 \$0 \$1.530 of the disinfectant if	\$0 \$0 \$0 \$0 \$0 \$0 \$1,924 residual for the

	PCW on 2 (September 2002) vision October 30, 2008
Base Penalty  >> Environmental, Property and Human Health Matrix	\$1,000
Harm  Release Major Moderate Minor  OR Actual Potential Percent 0%  >>Programmatic Matrix	
Falsification Major Moderate Minor  X Percent 1%	
Matrix Notes Less than 30% of rule requirement was not met.	
Adjustment \$990	
Violation Events	\$10
Number of Violation Events 1 52 Number of violation days	
mark only one with an x  mark only one with an x  daily  weekly  morathly  quarterly  semiannual  annual  single event  X	\$10
One single event is recommended.	полинения полине
Good Faith Efforts to Comply 0.0% Reduction	\$0
Before NOV NOV to EDPRP/Settlement Offer  Extraordinary  Ordinary  N/A  X ((mark with x))	
Notes The Respondent does not meet the good faith criteria for this violation.	00010000000000000000000000000000000000
Violation Subtotal	\$10
Economic Benefit (EB) for this violation Statutory Limit Test	
Estimated EB Amount \$43 Violation Final Penalty Total  This violation Final Assessed Penalty (adjusted for limits)	\$11 \$50

	E	conomic	Benefit	Wor	ksheet		
Respondent	DANIEL MEMO	RIAL BAPTIST EN	CAMPMENT, INC	3.			
Case ID No.	49117				and the second		er tradition of the contract of the
Reg, Ent. Reference No.	RN101213262						
Media	Public Water S	Supply				Percent Interest	Years of
Violation No.	5 :					reitein imerest	Depreciation
						5.0	15
	Trem Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description		•	,			-	
item pestription	iyu turiirias tir 🛊	a teological english of S	iti ali e i i i ned rajekti			Addition .	
Delayed Costs							
Delayed Costs Equipment		T 1		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	nymur/a :	\$0
Record Keeping System	\$180	19-May-2010	28-Feb-2015	4.78	\$43		\$43
Training/Sampling				0.00	\$0	Military auto-	\$0 \$0
Remediation/Disposal				0.00	\$0 \$0	ethittiyahi	\$0 \$0
Permit Costs				0.00	\$0 \$0	100	\$0 \$0
Other (as needed)		И	L				
						eeping system (\$4:	
Notes for DELAYED costs	four mis	~:000000000000000000000000000000000000		202020448888888		n when the violation	ı was first
		do	cumented to the	e estima	ited date of comp	liance.	
Avoided Costs	ANNIIAI	TZE [1] avoided	costs before	enterin	a item (evcent	for one-time avoi	led costs)
Avoided Costs Disposal	,,,,,,,	1-1-1-1	10000000000	0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	śū
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)			<u> </u>	0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Hotes for Avoided costs							
		•					
Approx. Cost of Compliance		\$180			TOTAL		\$43
			- 				

#### Penalty Calculation Worksheet (PCW) Policy Revision 4 (April 2014) PCW Revision March 26, 2014 DATES Assigned 28-Jul-2014 2-Oct-2014 Screening 11-Aug-2014 PCW **EPA** Due RESPONDENT/FACILITY INFORMATION Respondent DANIEL MEMORIAL BAPTIST ENCAMPMENT, INC Reg. Ent. Ref. No. RN101213262 Facility/Site Region 5-Tyler Major/Minor Source Minor **CASE INFORMATION** Enf./Case ID No. 49117 No. of Violations 2 Docket No. 2014-1148-PWS-E Media Program(s) Public Water Supply Order Type Findings Government/Non-Profit Yes Multi-Media Enf. Coordinator Lisa Westbrook EC's Team Enforcement Team 2 Admin. Penalty \$ Limit Minimum Maximum \$1,000 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 \$100 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. 7.0% Enhancement Compliance History \$7 Enhancement for one NOV with the same/similar violations and one NOV Notes with dissimilar violations. 0.0% Enhancement Culpability No Subtotal 4 \$0 The Respondent does not meet the culpability criteria. Notes Good Faith Effort to Comply Total Adjustments Subtotal 5 \$0 Economic Benefit 0.0% Enhancement\* Subtotal 6 \$0 Total EB Amounts \$2,724 \*Capped at the Total EB \$ Amount Estimated Cost of Compliance SUM OF SUBTOTALS 1-7 \$107 Final Subtotal OTHER FACTORS AS JUSTICE MAY REQUIRE \$0 Reduces or enhances the Final Subtotal by the indicated percentage. Notes

STATUTORY LIMIT ADJUSTMENT

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

No deferral is recommended for Findings Orders.

DEFERRAL

Notes

**PAYABLE PENALTY** 

Final Penalty Amount

Final Assessed Penalty

0.0% Reduction Adjustment

\$107

\$107

\$107

\$0

Screening Date 11-Aug-2014 Docket No. 2014-1148-PWS-E

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

Respondent DANIEL MEMORIAL BAPTIST ENCAMPMENT, INC.

Case ID No. 49117
Reg. Ent. Reference No. RN101213262

Media [Statute] Public Water Supply

Enf. Coordinator Lisa Westbrook

Compliance History Worksheet

	Compliance History Worksneet			
Compliance Histo Component	ory <i>Site</i> Enhancement (Subtotal 2)  Number of  En	iter Number Here	Adjust.	
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	1	5%	
	Other written NOVs	1	2%	
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%	
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	O	0%	
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%	aivs Str
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%	
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%	
Emissions	Chronic excessive emissions events (number of events)	0	0%	
A John	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0.	0%	
Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%	
		e Enter Yes or No	1	*
	Environmental management systems in place for one year or more	No	0%	
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%	
4 14 1	Participation in a voluntary pollution reduction program	No	0%	
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	
	Adjustment Perc	entage (Sub	ototal 2) [	79
Repeat Violator	(Subtotal 3)			
N/	Adjustment Perc	entage (Sub	total 3)	0%
Compliance Hist	ory Person Classification (Subtotal 7)			
Unclas		entage (Sub	ototal 7) [	0%
Compliance Hist				
Compliance History Notes		lissimilar		
Final Compliance	Total Compliance History Adjustment Percentage (So History Adjustment Final Adjustment Percentage		_	7% 7%

Screening Date		Docket No. 2014-1148-PWS-E	PCW
	DANIEL MEMORIAL BAPTIST	ENCAMPMENT, INC.	Policy Revision 4 (April 2014)
Case ID No. Reg. Ent. Reference No.			PCW Revision March 26, 2014
Media [Statute]			
Enf. Coordinator			
Violation Number	1		
Rule Cite(s)	30 T	ex. Admin. Code § 290.43(c)(8)	
	Failed to ensure that all clea	irwells, ground storage tanks ("GSTs"), stand p	ipes and
	R	d, disinfected and maintained in strict accordan	90% 100% 100% 100% 11 · · · · · · · · · · · · · · · · · ·
Violation Description	II	Association ("AWWA") standards. Specifically, it 5 million gallon GST was rusted on the exterior	
		ed of being recoated with paint.	
***	<u> </u>		
		The other succession of the second of the second of the Base of the second of the seco	Penalty \$1,000
>> Environmental, Proper	ty and Human Health	Matrix	
	Harm		
Release OR Actual		Minor	La Carte Car
Potential		Percent 5.0%	
>> Programmatic Matrix Falsification	Major Moderate	Minor	***
		Percent 0.0%	
		jiga nagale e ske garin ni li li li kunga kin ni e li	
		with AWWA standards could allow significant an	
Notes contaminants	to enter the water supply th	at would not exceed levels protective of humar	i health.
		* •	#0F0]
		Adjustment	\$950
	The second secon	and the second of the second of the second	\$50
Violation Events			
Number of V	Violation Events 1	Number of violation d	
Nulliber of	VIOIALIOIT EVEITS	S2 Number of violation d	dys
***************************************	daily		
2	weekly monthly		***
mark only one with an x	quartedy x	Violation Base	Penalty \$50
with an x	semiannual		• • • • • • • • • • • • • • • • • • • •
	annual single event		***************************************
	miga. citan	·····································	
One quarte	rly event is recommended, ca	alculated from the date of the investigation, Jur	ne 20.
		ening date, August 11, 2014.	
Good Faith Efforts to Com	ply 0.0% Before NOE/NOV		eduction \$0
Marian Andreas	Extraordinary	NOE/NOV to EDPRI/Settlement Offer	
	Ordinary		·
	N/A x	(mark with x)	
	Notes The Respond	lent does not meet the good faith criteria for	
		this violation.	
,	La constitución de la constituci	VI	train in the state of the state
		Violation S	Subtotal \$50
Economic Benefit (EB) for	this violation	Statutory Limit	l'est .
Estimate	ed EB Amount	\$2,514 Violation Final Penal	ty Total \$54
***************************************	This sist	lation Final Assessed Penalty (adjusted for	
	11112 4101	auon i mai Assesseu Pendity (dujusted foi	· limits)

		conomic Benefi		ksneet		
	3 .	RIAL BAPTIST ENCAMPMENT,	INC.			al Company
Case ID No.						电阻分析系统
eg. Ent. Reference No.	}			ing the second		Years of
media Violation No.	Public Water S	supply			Percent Interest	Depreciation
Violation No.	1				5.0	1,
	********	Date Required Final Dat	. V V.	stanost Faund		EB Amount
			e ns n	iiterest Saveu	Olletime Costs	LB Amount
Item Description	No commas or \$				11.	
Delayed Costs		1 1	0.00	\$0	\$0	\$0
Equipment Buildings		<del>                                     </del>	0.00	\$0 \$0	\$0	\$0
Other (as needed)	\$30.000	20-Jun-2014 31-Aug-20		\$120	\$2,395	\$2,514
Engineering/Construction	20.000	1 2 2 2 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	0.00	\$0	\$0	\$0
Land			0.00	\$0		\$0
Record Keeping System			0.00	\$0		\$0
Training/Sampling			0.00	\$0		\$0
Remediation/Disposal			0.00	\$0		<u>\$0</u>
Permit Costs		<del> </del>	0.00	\$0 \$0		<u>\$0</u> \$0
Other (as needed)		N N	11 0.00 1	30	NEW TOTAL PROPERTY.	30
	heveleb odt	cost includes the estimated ar	nount to refi	irbish or reolari	s the GST inalculated	l from the first
Notes for DELAYED costs		e investigation when the viola				
	date or a	C miceseggeon mich eine moe	uon nus uoc			
Avoided Costs	ANNUAL	IZE [1] avoided costs befo	re enterina	item (except	for one-time avoid	led costs)
Disposal		<del>                                     </del>	0.00	\$0	\$0	\$0
D.DPOUL.			0.00	\$0	\$0	\$0
Personnel			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	<u>\$0</u>
nspection/Reporting/Sampling			0.00	\$0 \$0	\$0 \$0	\$0 \$0
nspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]		<del>}</del>			<u>1 3-U l</u>	DU.
nspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]			0.00	<del>-</del>		
nspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]			<u> </u>	<del></del>		
nspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]			<u>   0.00  </u>			
nspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)			¶ 0,00 l	<b>3 9 9 9 9 9 9 9 9 9 9</b>		

Screening Date		Docket No. 2014-1148-PWS-E	PCW
Respondent Case ID No.	DANIEL MEMORIAL BAPTIST 8 49117	ENCAMPMENT, INC.	Policy Revision 4 (April 2014) PCW Revision March 26, 2014
Reg. Ent. Reference No.			
Media [Statute] Enf. Coordinator			
Violation Number	2		3
Rule Cite(s)	30 T	řex. Admin. Code § 290.46(m)	
Violation Description	working condition and ge	ance and housekeeping practices to ensure the eneral appearance of the Facility and its equipm	ent.
Violation Description		ted that the 3,000 gallon pressure tank was ru- nd in need of being recoated with paint.	sted on
			Penalty \$1,000
>> Environmental, Proper	ly and Human Health !	Matrix	
Release	<b>Harm</b> Major Moderate	Minor	
OR Actual	Major Moderate	Millo	
Potential	X	Percent 5.0%	
>>Programmatic Matrix			
Falsification	Major Moderate	Minor Percent 0.0%	
		1 - 41 7 5 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	
Maurix   could expose t	ntain the good working conditi he customers to a significant	ion and general appearance of the Facility's equ amount of contaminants which would not excee	ilpment   d levels
Notes		ective of human health.	
G. 10 11 12 12 12 13 13 13 14 15 15 15 15 15 15 15 15 15 15 15 15 15		Adjustment	\$950
		***	\$50
	n and the angles and the second	and the second of the second o	\$50
Violation Events		7	yara -
Number of V	iolation Events 1	52 Number of violation da	ıys
† .	dally		
	weekly monthly		
mark only one with an x	quarterly x	Violation Base	Penalty \$50
	semiannual annual		
	single event		
One quarterly	event is recommended, calculated to the screenin	ated from the date of the investigation, June 20 ig date, August 11, 2014.	), 2014,
<u>                                     </u>			
Good Faith Efforts to Comp		Re NOE/NOV to EDPRP/Settlement Offer	eduction \$0
	Extraordinary	NOL NO LO LO PROPSECCIONALIONE	
	Ordinary X (		
	,	(mark with x)	
	Notes I ne Responde	ent does not meet the good faith criteria for this violation.	
		Violation S	ubtotal \$50
Economic Benefit (EB) for	this violation	Statutory Limit T	est
Estimate	d EB Amount	\$210 Violation Final Penalt	y Total \$54
	This viola	ation Final Assessed Penalty (adjusted for	limits) \$54
			7; T=1

	E	conomic	Benefit	Wor	'ksheet		
Respondent	DANIEL MEMO	ORIAL BAPTIST EN	ICAMPMENT, INC	<b>:</b>	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
Case ID No	. 49117						19 5 July 1
Reg. Ent. Reference No	. RN101213262	2			The second second		
	Public Water S					Percent Interest	Years of
Violation No	. 2				na film why a		Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	1 No commas or 1						
***************************************		katata katat		errosos			
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$2,500	20-Jun-2014	31-Aug-2015	1,20	\$10	\$200	\$210
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	<u>\$0</u>
Record Keeping System				0.00	\$0	n/a	<u>\$0</u>
Training/Sampling				0.00	<u>\$0</u>	<u> </u>	\$0 \$0
Remediation/Disposal				0.00	\$0 \$0	n/a	\$0 \$0
Permit Costs	# ** ** ** ** ** ** ** ** ** ** ** ** **						
Other (as needed)				0.00	\$0 \$0	r/a	\$0 \$0
Other (as needed)	The delayed	port includes the s	estimated amous	0.00	\$0	n/a	\$0
Other (as needed)  Notes for DELAYED costs				0.00 nt to ref	\$0 urbish or replace		\$0 calculated from
Notes for DELAYED costs	the first date	of the investigation	on when the viol	0.00 nt to ref ation w	\$0 Turbish or replace as documented to	n/a the pressure tank, the estimated date	\$0 calculated from of compliance.
	the first date	of the investigation	on when the viol	0.00 nt to ref ation was enterin	\$0 urbish or replace as documented to g item (except	n/a the pressure tank, the estimated date for one-time avoi	\$0 calculated from of compliance.
Notes for DELAYED costs  Avoided Costs  Disposal	the first date	of the investigation	on when the viol	nt to refation was	\$0 urbish or replace as documented to g item (except \$0	the pressure tank, the estimated date for one-time avoid	\$0 calculated from of compliance. ded costs)
Notes for DELAYED costs  Avoided Costs  Disposal  Personnel	the first date	of the investigation	on when the viol	o.00  nt to refation was  enterin  0.00  0.00	\$0  urbish or replace as documented to gitem (except \$0 \$0	the pressure tank, the estimated date for one-time avoid \$0 \$0	\$0 calculated from of compliance. ded costs) \$0 \$0
Notes for DELAYED costs  Avoided Costs  Disposal  Personnel  Inspection/Reporting/Sampling	the first date	of the investigation	on when the viol	nt to relation was	\$0  Furbish or replace as documented to gitem (except \$0  \$0 \$0 \$0	the pressure tank, the estimated date for one-time avoid \$0 \$0 \$0 \$0 \$0	\$0 calculated from of compliance.  ded costs) \$0 \$0 \$0
Notes for DELAYED costs  Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	the first date	of the investigation	on when the viol	0.00  nt to refation was  enterin  0.00  0.00  0.00  0.00	\$0  urbish or replace as documented to \$0  \$0  \$0  \$0  \$0  \$0	the pressure tank, the estimated date for one-time avoided the storage of the sto	\$0 calculated from of compliance.  ded costs) \$0 \$0 \$0 \$0
Avoided Costs  Avoided Costs  Disposal  Personnel  nspection/Reporting/Sampling  Supplies/Equipment  Financial Assurance [2]	the first date	of the investigation	on when the viol	0.00  nt to relation was enterin 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 urbish or replace as documented to \$0 \$0 \$0 \$0 \$0 \$0 \$0	the pressure tank, the estimated date for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 calculated from of compliance.  ded costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs  Avoided Costs  Disposal  Personnel  nspection/Reporting/Sampling  Supplies/Equipment  Financial Assurance [2]  ONE-TIME avoided costs [3]	the first date	of the investigation	on when the viol	0.00 on to refact to refac	\$0  Furbish or replace as documented to \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0	the pressure tank, the estimated date for one-time avoided the storage of the sto	\$0 calculated from of compliance.  ded costs) \$0 \$0 \$0 \$0
Avoided Costs  Avoided Costs  Disposal  Personnel  nspection/Reporting/Sampling  Supplies/Equipment  Financial Assurance [2]	the first date	of the investigation	on when the viol	0.00  nt to relation was enterin 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 urbish or replace as documented to \$0 \$0 \$0 \$0 \$0 \$0 \$0	the pressure tank, the estimated date for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 calculated from of compliance.  ded costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs  Avoided Costs  Disposal  Personnel  nspection/Reporting/Sampling  Supplies/Equipment  Financial Assurance [2]  ONE-TIME avoided costs [3]	the first date	of the investigation	on when the viol	0.00 on to refact to refac	\$0  Furbish or replace as documented to \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0	the pressure tank, the estimated date for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 calculated from of compliance.  ded costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs  Avoided Costs  Disposal  Personnel  Inspection/Reporting/Sampling  Supplies/Equipment  Financial Assurance [2]  ONE-TIME avoided costs [3]	the first date	of the investigation	on when the viol	0.00 on to refact to refac	\$0  Furbish or replace as documented to \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0	the pressure tank, the estimated date for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 calculated from of compliance.  ded costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs  Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	the first date	of the investigation	on when the viol	0.00 on to refact to refac	\$0  Furbish or replace as documented to \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0	the pressure tank, the estimated date for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 calculated from of compliance.  ded costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	the first date	of the investigation	on when the viol	0.00 on to refact to refac	\$0  Furbish or replace as documented to \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0	the pressure tank, the estimated date for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 calculated from of compliance.  ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	the first date	of the investigation	on when the viol	0.00 on to refact to refac	\$0  Furbish or replace as documented to \$0  \$0  \$0  \$0  \$0  \$0  \$0  \$0	the pressure tank, the estimated date for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 calculated from of compliance.  ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0

The TCEQ is committed to accessibility. To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



# **ICEQ** Compliance History Report

PENDING Compliance History Report for CN600656086, RN101213262, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, CN600656086, DANIEL MEMORIAL BAPTIST ENCAMPMENT, INC. Classification: UNCLASSIFIED

Rating: ----

or Owner/Operator:

RN101213262, DANIEL SPRINGS BAPTIST CAMP Classification: NOT APPLICABLE Regulated Entity:

Rating: N/A

**Complexity Points:** 

N/A

Repeat Violator: N/A

CH Group:

14 - Other

Location:

ON FARM-TO-MARKET ROAD 999, 0.5 MILE NORTHEAST OF THE INTERSECTION OF FARM-TO-MARKET

ROAD 999 AND COUNTY ROAD 129, NEAR GARY, PANOLA COUNTY, TEXAS

TCEQ Region:

**REGION 05 - TYLER** 

ID Number(s):

**PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1830018** 

**WATER LICENSING LICENSE 1830018** 

Compliance History Period: September 01, 2009 to August 31, 2014

Rating Year: 2014

Rating Date: 09/01/2014

Date Compliance History Report Prepared: September 24, 2014

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: September 24, 2009 to September 24, 2014

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Lisa Westbrook

Phone: (512) 239-1160

#### Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period?

YES

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

NO

3) If **YES** for #2, who is the current owner/operator?

- 4) If YES for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If YES, when did the change(s) in owner or operator occur? N/A

#### Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

**B.** Criminal convictions:

N/A

C. Chronic excessive emissions events:

D. The approval dates of investigations (CCEDS Inv. Track. No.):

N/A

#### E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

Date:

01/31/2014 (1143605)

CN600656086

Self Report? NO

30 TAC Chapter 290, SubChapter D 290.46(f)

Description:

Citation:

Self Report?

Failure to maintain weekly records of chlorine residuals. Classification:

Citation:

30 TAC Chapter 290, SubChapter D 290.46(f)

Description:

Failure to maintain records of water works operations.

Self Report?

Classification:

Classification:

Classification:

Moderate

Minor

Minor

Minor

Minor

Minor

Minor

Minor

Moderate

Citation: Description:

30 TAC Chapter 290, SubChapter D 290.46(d)(1) Failure to take weekly chlorine residuals in the distribution.

Self Report?

Classification:

Citation:

30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B)

Description:

Failure to annually inspect the pressure tank. Classification:

Self Report? Citation:

30 TAC Chapter 290, SubChapter D 290.46(m)(1)(A)

Description:

Failure to annually inspect the water tanks.

Self Report?

Classification:

Citation: Description: 30 TAC Chapter 290, SubChapter D 290.42(I)

Failure to develop a plant operations and maintenance manual. Classification:

Self Report? Citation:

30 TAC Chapter 290, SubChapter D 290.46(s)(1)

Description:

Failure to verify the calibration of well flow meters at least once every three

years.

NO

Self Report?

30 TAC Chapter 290, SubChapter D 290.46(f)

Citation: Description:

Failure to keep records organized and onsite for investigator review during

comprehensive compliance investigations.

Self Report?

Classification: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)

Citation: Description:

Failure to provide each well with a screened casing vent that is facing downward,

elevated and located so as to minimize the drawing of contaminants into the well.

2

Date:

06/20/2014 (1179871) CN600656086

Self Report? NO

Classification:

Citation: Description: 30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A) Failure to maintain a free chorine residual of at least 0.2 mg/L throughout the

distribution system.

Self Report?

Classification: Moderate

30 TAC Chapter 290, SubChapter D 290.42(e)(3)

Citation: Description:

Failure to provide disinfection equipment so that continuous and effective

disinfection can be secured under all conditions.

#### F. Environmental audits:

N/A

## G. Type of environmental management systems (EMSs):

#### H. Voluntary on-site compliance assessment dates:

#### I. Participation in a voluntary pollution reduction program:

## J. Early compliance:

N/A

# **Sites Outside of Texas:**

N/A

#### **Component Appendices**

Description:

### Appendix A

#### All NOVs Issued During Component Period 9/24/2009 and 9/24/2014

07/06/2010 CN600656086 (827202)1 Date: Classification: Minor For Informational Purposes Only Self Report? 30 TAC Chapter 290, SubChapter D 290.46(f) Citation: Description: Failure to maintain records of water works operations. Classification: Moderate For Informational Purposes O NIV Self Report? 30 TAC Chapter 290, SubChapter D 290.46(d)(1) Citation: Failure to take weekly chlorine residuals in the distribution. Description: Classification: Minor For Informational Purposes Only Self Report? 30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B) Citation: Description: Failure to annually inspect the pressure tank. Classification: Minor For Informational Purposes Only Self Report? NO Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)(A) Description: Failure to annually inspect the water tanks. Classification: Minor For Informational Purposes Only Self Report? Citation: 30 TAC Chapter 290, SubChapter D 290.42(I) Failure to develop a plant operations and maintenance manual. Description: Classification: Minor For Informational Purposes Only Self Report? NO 30 TAC Chapter 290, SubChapter D 290.46(s)(1) Citation: Failure to verify the calibration of well flow meters at least once every three Description: years. Classification: Minor For Informational Purposes Only NO Self Report? 30 TAC Chapter 290, SubChapter D 290.46(f) Citation: Failure to keep records organized and onsite for investigator review during Description: comprehensive compliance investigations. CN600656086 2 Date: 03/21/2013 (1073175)Classification: Minor For Informational Purposes Only NO Self Report? 30 TAC Chapter 290, SubChapter D 290.46(f) Citation: Failure to maintain weekly records of chlorine residuals. Description: Classification: Minor For Informational Purposes O Self Report? NO 30 TAC Chapter 290, SubChapter D 290.46(f) Citation: Failure to maintain records of water works operations. Description: Classification: Moderate For Informational Purposes Only Self Report? NO 30 TAC Chapter 290, SubChapter D 290.46(d)(1) Citation: Failure to take weekly chlorine residuals in the distribution. Description: Classification: Minor For Informational Purposes Only Self Report? Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B) Failure to annually inspect the pressure tank. Description: Classification: Minor For Informational Purposes Only NO Self Report? 30 TAC Chapter 290, SubChapter D 290.46(m)(1)(A) Citation:

Failure to annually inspect the water tanks.

Classification:

Minor

For Informational Purposes Only NO Self Report?

30 TAC Chapter 290, SubChapter D 290.42(I) Citation:

Description: Failure to develop a plant operations and maintenance manual.

Classification:

For Informational Purposes Only Self Report?

30 TAC Chapter 290, SubChapter D 290.46(s)(1) Citation:

Failure to verify the calibration of well flow meters at least once every three Description:

years.

Classification: For Informational Purposes Only Self Report? NO

30 TAC Chapter 290, SubChapter D 290.46(f) Citation:

Failure to keep records organized and onsite for investigator review during Description:

comprehensive compliance investigations.

Classification:

For Informational Purposes Only Self Report? NO

30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K) Citation: Failure to provide each well with a screened casing vent that is facing downward, Description:

elevated and located so as to minimize the drawing of contaminants into the well.

Classification: Moderate

For Informational Purposes Only Self Report? NO

30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A) Citation:

Failure to maintain a free chorine residual of at least 0.2 mg/L throughout the Description:

distribution system.

3\*

CN600656086 Date: 01/31/2014 (1143605)

Classification: Minor

For Informational Purposes Only Self Report?

30 TAC Chapter 290, SubChapter D 290.46(f) Citation:

Failure to maintain weekly records of chlorine residuals. Description:

Classification: Minor

For Informational Purposes Only Self Report?

30 TAC Chapter 290, SubChapter D 290.46(f) Citation:

Description: Failure to maintain records of water works operations.

Classification: Moderate

For Informational Purposes Only Self Report? NO

30 TAC Chapter 290, SubChapter D 290.46(d)(1) Citation:

Failure to take weekly chlorine residuals in the distribution. Description: Classification: Minor

For Informational Purposes Only Self Report?

30 TAC Chapter 290, SubChapter D 290.46(m)(1)(B) Citation:

Failure to annually inspect the pressure tank. Description:

Classification: Minor

For Informational Purposes Only Self Report?

30 TAC Chapter 290, SubChapter D 290.46(m)(1)(A) Citation:

Failure to annually inspect the water tanks. Description: Classification:

Minor

For Informational Purposes Only NO Self Report?

30 TAC Chapter 290, SubChapter D 290.42(I) Citation:

Description: Failure to develop a plant operations and maintenance manual. Classification: Minor

For Informational Purposes Only Self Report?

30 TAC Chapter 290, SubChapter D 290.46(s)(1) Citation:

Description: Failure to verify the calibration of well flow meters at least once every three

years. Classification: Minor

For Informational Purposes Only Self Report? NO

30 TAC Chapter 290, SubChapter D 290.46(f) Citation:

Failure to keep records organized and onsite for investigator review during Description:

comprehensive compliance investigations.

Classification:

Minor

Self Report?

For Informational Purposes Only

Citation:

30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)

Description:

Failure to provide each well with a screened casing vent that is facing downward,

elevated and located so as to minimize the drawing of contaminants into the well.

Date:

06/20/2014

(1179871)

CN600656086

Classification:

Moderate

Self Report? NO For Informational Purposes Only

Citation:

30 TAC Chapter 290, SubChapter D 290.46(d)(2)(A)

Description:

Failure to maintain a free chorine residual of at least 0.2 mg/L throughout the

distribution system.

Classification:

Moderate

Self Report?

NO

For Informational Purposes Only

Citation:

30 TAC Chapter 290, SubChapter D 290.42(e)(3)

Description:

Failure to provide disinfection equipment so that continuous and effective

disinfection can be secured under all conditions.

#### Appendix B

#### All Investigations Conducted During Component Period September 24, 2009 and September 24, 2014

	(O	_/	20	4
0	Summer	Acres Acres		artitra

Item 1 July 06, 2010\*\* ırmational Purposes Only

(1073175)

Item 2

March 11, 2013\*\*

For Informational Purposes Only

(1115229)

Item 3

September 25, 2013\*\*For Informational Purposes Only

(1143605)

Item 4

January 24, 2014\*\*

For Informational Purposes Only

(1179871)

Item 5

July 25, 2014\*\*

For Informational Purposes Only

<sup>\*</sup> NOVs applicable for the Compliance History rating period 9/1/2009 to 8/31/2014

<sup>\*</sup> No violations documented during this investigation

<sup>\*\*</sup>Investigation applicable for the Compliance History Rating period between 09/01/2009 and 08/31/2014.

# Texas Commission on Environmental Quality



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
DANIEL MEMORIAL BAPTIST	§	TEXAS COMMISSION ON
ENCAMPMENT, INC.	§	
RN101213262	§	ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2014-1148-PWS-E

At its \_\_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding DANIEL MEMORIAL BAPTIST ENCAMPMENT, INC. (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

#### I. FINDINGS OF FACT

1. The Respondent owns and operates a public water supply located on Farm-to-Market Road 999, 0.5 mile northeast of the intersection of Farm-to-Market Road 999 and

County Road 129 near Gary, Panola County, Texas (the "Facility") that has approximately 36 service connections and serves at least 25 people per day for at least 60 days per year.

- 2. During investigations conducted on May 19, 2010, February 20, 2013, and June 20, 2014 through June 24, 2014, TCEQ staff documented that the well meter had not been calibrated in the previous three years.
- 3. During investigations conducted on May 19, 2010, February 20, 2013, and June 20, 2014 through June 24, 2014, TCEQ staff documented that the Facility did not have a plant operations and maintenance manual.
- 4. During investigations conducted on May 19, 2010, February 20, 2013, and June 20, 2014 through June 24, 2014, TCEQ staff documented that the ground storage tank ("GST") had not been inspected the previous 12 months.
- 5. During investigations conducted on May 19, 2010, February 20, 2013, and June 20, 2014 through June 24, 2014, TCEQ staff documented that the disinfectant residual was not monitored once every seven days and instead was monitored once every month.
- 6. During investigations conducted on May 19, 2010, February 20, 2013, and June 20, 2014 through June 24, 2014, TCEQ staff documented that the following records were not made available for review: the amount of each chemical used each week, the amount of water treated each week, the dates the dead ends are flushed and the maintenance records for the water system.
- 7. During an investigation conducted from June 20, 2014 through June 24, 2014, TCEQ staff documented that the 0.065 million gallon ("MG") GST was rusted on the exterior and in need of being recoated with paint.
- 8. During an investigation conducted from June 20, 2014 through June 24, 2014, TCEQ staff documented that the 3,000 gallon pressure tank was rusted on the exterior and in need of being recoated with paint.
- 9. The Respondent received notice of the violations on July 29, 2014.

#### II. CONCLUSIONS OF LAW

- 1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to Tex. Health & Safety Code CH. 341 and the rules of the Commission.
- 2. As evidenced by Findings of Fact No. 2, the Respondent failed to calibrate the Facility's well meter at least once every three years, in violation of 30 Tex. Admin. Code § 290.46(s)(1).

- 3. As evidenced by Findings of Fact No. 3, the Respondent failed to maintain a thorough and up-to-date plant operations manual for operator review and reference, in violation of 30 Tex. ADMIN. CODE § 290.42(1).
- 4. As evidenced by Findings of Fact No. 4, the Respondent failed to conduct an annual inspection of the Facility's GST, in violation of 30 Tex. ADMIN. CODE § 290.46(m)(1)(A).
- 5. As evidenced by Findings of Fact No. 5, the Respondent failed to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days, in violation of 30 Tex. ADMIN. CODE §§ 290.110(c)(4)(A).
- 6. As evidenced by Findings of Fact No. 6, the Respondent failed to make water works operation and maintenance records available for review by Commission personnel upon request, in violation of 30 Tex. ADMIN. CODE § 290.46(f)(2), (f)(3)(A)(i)(III), (f)(3)(A)(ii)(III), (f)(3)(A)(iv), and (f)(3)(A)(vi).
- 7. As evidenced by Findings of Fact No. 7, the Respondent failed to ensure that all clearwells, GSTs, stand pipes and elevated tanks are painted, disinfected and maintained in strict accordance with American Water Works Association ("AWWA") standards, in violation of 30 Tex. Admin. Code § 290.43(c)(8).
- 8. As evidenced by Findings of Fact No. 8, the Respondent failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the Facility and its equipment, in violation of 30 Tex. ADMIN. CODE § 290.46(m).
- 9. Pursuant to Tex. Health & Safety Code § 341.049, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
- An administrative penalty in the amount of Five Hundred Thirty-One Dollars (\$531) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in Tex. Health & Safety Code § 341.049(b). The Respondent has paid the Five Hundred Thirty-One Dollar (\$531) administrative penalty.

#### III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Five Hundred Thirty-One Dollars (\$531) as set forth in Section II, Paragraph 10 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order

completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: DANIEL MEMORIAL BAPTIST ENCAMPMENT, INC., Docket No. 2014-1148-PWS-E" to:

Financial Administration Division, Revenue Operations Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Agreed Order:
    - i. Calibrate the Facility's well meter, in accordance with 30 Tex. ADMIN. CODE § 290.46;
    - ii. Conduct an annual inspection of the Facility's GST, in accordance with 30 TEX. ADMIN. CODE § 290.46;
    - iii. Begin monitoring and recording the disinfectant residual at representative locations in the distribution system at least once every seven days using an approved method, in accordance with 30 TEX. ADMIN. CODE § 290.110; and
    - iv. Compile and begin maintaining properly completed monthly water works operation reports and maintenance records, including but not limited to: the amount of each chemical used each week, the amount of water treated each week, dates the dead ends are flushed, and maintenance records for the water system, in accordance with 30 TEX. ADMIN. CODE § 290.46.
  - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 2.f. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i. through 2.a.iv.;
  - c. Within 60 days after the effective date of this Agreed Order, compile and begin maintaining an up-to-date and thorough plant operations manual for operator review and reference, in accordance with 30 Tex. Admin. Code § 290.42;
  - d. Within 75 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 2.f. below, and include

detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.c.;

- e. Within 180 days after the effective date of this Agreed Order:
  - i. Refurbish or replace the 0.065 MG GST so that the interior and exterior meet AWWA standards, in accordance with 30 Tex. ADMIN. CODE § 290.43; and
  - ii. Initiate maintenance and good housekeeping practices at the Facility, including but not limited to, refurbishing or replacing the 3,000 gallon pressure tank, in accordance with 30 Tex. ADMIN. CODE § 290.46.
- f. Within 195 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.e. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Water Section Manager Tyler Regional Office Texas Commission on Environmental Quality 2916 Teague Drive Tyler, Texas 75701-3734

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.

- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 5. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 6. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- This Agreed Order may be executed in separate and multiple counterparts, which 8. together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
- 9. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 Tex. Admin. Code § 70.10(b) and Tex. Gov't Code § 2001.142.

# SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
Pormo Daveve S For the Executive Director	3/25/15
For the Executive Director (	Date
DANIEL MEMORIAL BAPTIST ENCAMPMENT Agreed Order on behalf of DANIEL MEMORIA	d the attached Agreed Order in the matter of T, INC. I am authorized to agree to the attached L BAPTIST ENCAMPMENT, INC., and do agree ther acknowledge that the TCEQ, in accepting elying on such representation.
ENCAMPMENT, INC. waives certain procedura formal notice of violations addressed by this Ag right to an evidentiary hearing, and the right to	greed Order, DANIEL MEMORIAL BAPTIST l rights, including, but not limited to, the right to reed Order, notice of an evidentiary hearing, the appeal. I agree to the terms of the Agreed Order Order constitutes full and final adjudication by s Agreed Order.
<ul> <li>and/or failure to timely pay the penalty amount.</li> <li>A negative impact on compliance history.</li> <li>Greater scrutiny of any permit application.</li> <li>Referral of this case to the Attorney of additional penalties, and/or attorney fee.</li> <li>Increased penalties in any future enforces.</li> </ul>	ons submitted; General's Office for contempt, injunctive relief, s, or to a collection agency; ement actions; eral's Office of any future enforcement actions; by law.
Signature & Speer	Date Director
James L. Speer  Name (Printed or typed)  Authorized Representative of	Director

**Instructions**: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.

DANIEL MEMORIAL BAPTIST ENCAMPMENT, INC.